

UNITED STATES DISTRICT COURT

for the
Northern District of New York

UNITED STATES OF AMERICA

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Defendant.

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CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief. On or about May 23, 2023 in the county of Albany in the Northern District of New York the defendant violated:

Code Section

21 U.S.C. §§ 841(a)(1), (b)(1)(B)

Offense Description

Possession with Intent to Distribute a Controlled Substance (Cocaine)

This criminal complaint is based on these facts:

See attached affidavit.

- Continued on the attached sheet.



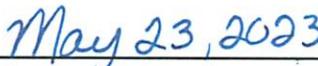
Complainant's signature

Derek R. Barnholt, DEA Task Force Officer

Printed name and title

Attested to by the affiant in accordance with Rule 4.1 of the Federal Rules of Criminal Procedure.

Date:





Judge's signature

City and State: Albany, New York

Hon. Christian F. Hummel, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, **Derek Barnholt**, being duly sworn, do hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I make this affidavit in support of criminal complaint charging BRANDON BARTLEY with possessing with the intent to distribute a controlled substance (cocaine), in violation of Title 21, United States Code, Sections 841(a)(l) and (b)(l)(B).

2. I have been a Task Force Officer of the Drug Enforcement Administration (DEA) since November 2020. I am also a law enforcement officer with the Johnstown Police Department (JPD) in Johnstown, New York, where I have worked as a detective for over six years.

3. I have participated in the investigation of criminal drug trafficking organizations since I joined DEA and with JPD and have undergone numerous training sessions related to all aspects of drug trafficking. Through my training, education, and experience, which includes debriefing cooperating drug traffickers and money launderers, monitoring wiretapped conversations of drug traffickers and money launderers, and conducting surveillance on numerous occasions of individuals engaged in drug trafficking and money laundering, I have become familiar with the manner in which illegal drugs are imported and distributed, the methods of payment for such drugs, the various ways drug money is laundered, and the efforts of persons involved in such activities to avoid detection by law enforcement.

4. This affidavit is intended to show merely that there is probable cause for the charges alleged in the complaint, and consequently it does not set forth all of my knowledge about the matters under investigation. Where statements of others are related in this affidavit, they are related in substance and in part.

INVESTIGATION AND BASIS FOR PROBABLE CAUSE

5. On May 22, 2023, a search warrant was issued by this Court authorizing the search of 1434 Western Avenue, in Albany, New York (the “Western Ave Property”) for evidence related to drug trafficking offenses. On May 23, 2022, members of law enforcement, including the DEA, executed the search warrant at the Western Ave Property. At the time the warrant was executed, BARTLEY was the only individual present and was detained. After being advised of his *Miranda* rights, BARTLEY admitted that he was the only person living at the Western Ave Property, and identification documents belonging to BARTLEY were located in the bedroom in which BARTLEY was also located.

6. In a safe located in the living room of the Western Ave Property, investigators found approximately 765 grams of a white substance that field tested positive for cocaine. Additionally, investigators found other substances including orange counterfeit Amphetamine pills that field tested positive for methamphetamine, multi-colored rainbow pills that field tested positive for methamphetamine, and blue and light green colored counterfeit M-30 stamped pills that field tested positive for fentanyl. The safe also contained other pills weighing a total of more than 3,000 grams. Investigators also found a scale and 34 firearms in the apartment, including in both bedrooms of the apartments, as well as in the safe in which the drugs were also found.

7. In my training and experience, the quantity of cocaine found at the Western Ave Property is not a quantity for personal use and is indicative of drug distribution activities.

8. A photograph of the safe containing the drugs is seen below:



CONCLUSION

9. Based on the foregoing, there is probable cause to conclude that on May 23, 2023, Brandon BARTLEY violated Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B), by possessing with the intent to distribute cocaine, a Schedule II controlled substance.



Derek Barnholt
Task Force Officer
Drug Enforcement Administration

I, the Honorable Christian F. Hummel, United States Magistrate Judge, hereby acknowledge that this affidavit was attested to by the affiant by telephone on May 23, 2023, in accordance with Rule 4.1 of the Federal Rules of Criminal Procedure.



Hon. Christian F. Hummel
United States Magistrate Judge